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# Frequently Asked Questions on EPA's Proposed Revisions to the Remedial Action for the Housatonic River "Rest of River"

**THE RIVER** The Housatonic River is contaminated with polychlorinated biphenyls (PCBs) released from the General Electric Company (GE) facility in Pittsfield, MA. The entire site consists of the 254-acre GE facility; the Housatonic River and its banks and floodplains from Pittsfield, MA, to Long Island Sound; and other contaminated areas. Under a federal Consent Decree, GE is required to address contamination throughout the site, including in the River.

**This document addresses the most common and significant questions EPA received during public information meetings held in February and March 2020. These responses supplement EPA's answers provided during the public information meetings.**

## WHY NOT TAKE ALL OF THE DREDGED MATERIAL OFFSITE FOR DISPOSAL?

In its 2016 Permit, EPA proposed a remedy with off-site disposal of all contaminated soil and sediment. The 2016 Permit was appealed by several parties to EPA's Environmental Appeals Board (EAB). After reviewing the written and oral arguments of all the parties, the EAB sent ("remanded") the Permit back to EPA Region 1 for further consideration on the off-site disposal selection. If EPA moved forward with the 2016 Permit without changes, there was a chance that the EAB or a federal court would again remand our decision selecting off-site disposal exclusively, which would lead to indefinite delays, and a possibility of a decision allowing disposal of all materials on site in the three GE-proposed locations in the Berkshires. Instead, EPA decided to bring together parties to the permit appeal and attempt to come up with an agreement that would speed up the cleanup, enhance the environmental cleanup, safely dispose of the contaminated soil and sediment and be acceptable to the affected communities. A key element to that agreement has been a requirement to take the most highly contaminated material out of state while only disposing of the lower level material nearby in a properly designed, secure, landfill.

## WHY DON'T WE USE INNOVATIVE TREATMENT?

Many stakeholders have advocated for the use of innovative treatment technology that might render the PCBs harmless, inert or otherwise destroy the contamination. In GE's 2010 Revised Corrective Measures Study, several innovative technologies were considered, and thermal desorption and chemical extraction were fully evaluated, including a pilot project for chemical extraction. EPA evaluated these treatment options, along with on-site and off-site disposal, and selected off-site disposal in its 2016 permit. EPA's decision not to require treatment was upheld by the EAB after being specifically appealed. Numerous challenges remain regarding the use of innovative treatment technologies. At present there is no proven and viable in-situ method that would avoid excavation of soil and sediment on the scale of the Housatonic River cleanup. Ex-situ methods like chemical extraction, thermal desorption, or even incineration, can often present operational challenges and leave treatment residuals that would still require land disposal after treatment. Thus, it is likely that, if an innovative treatment approach were selected here, it would still be necessary to dispose of treated soil/sediment in a landfill.

Nonetheless, EPA still has a strong desire to look for technologies that will destroy the PCBs for good. To that end, EPA committed in the February 2020 Settlement Agreement to facilitate opportunities for research and testing of innovative treatment and other technologies and approaches for reducing PCB toxicity and/or concentrations in excavated soil and/or sediment before, during, or after disposal in a landfill. Additionally, the Draft Revised 2020 Permit reiterates the Adaptive Management Requirements of the 2016 Permit.

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EPA United States Environmental Protection Agency

July 2020

SEMS Doc ID 647217

## WHY DOES EPA CONSIDER THE UPLAND DISPOSAL FACILITY (UDF) SAFE?

Contaminated soil and sediment are being removed, via excavation and dredging from the floodplain and river bottom where they pose unacceptable risks to human health and the environment. Since there is current exposure to PCBs, they pose threats to humans through direct contact and fish consumption and pose a threat to ecological receptors. In essence, the sediments are being removed from an area where they are causing impacts to humans and the environment, to an area that is designed to prevent environmental and human health impacts. The soils and sediments will be sequestered in a proven, engineered containment cell with a low permeability cap that will be inspected, maintained and monitored to ensure that it is protective of human health and the environment.

Experts who have looked at this from the towns, GE, EPA and the environmental community agree on three things. PCBs need to be removed from the river, PCBs can be safely deposited in a properly designed and operated landfill, and there is no perfect solution at this point for getting the PCBs out of the soil and sediments once we remove them from the river and floodplain.

## HOW MUCH AND WHAT CONCENTRATIONS OF CONTAMINANTS WILL BE PLACED IN THE UDF?

The latest estimate of volume of sediments to be dredged from the river and its floodplain is on the order of 1.1 million cubic yards of in-place soil and sediments. At least 100,000 cubic yards of that will be transported out of state for disposal. The total capacity of the UDF is 1.3 million cubic yards which will allow for disposal of soil, sediment, and temporary roadbed gravel and other material used during the large construction project to remediate the Housatonic River and its floodplain.

The concentration of contaminants in river sediments and floodplain soil has been analyzed extensively. Based on existing data, average concentrations of contaminants within river sediment and floodplain soil to be disposed of in the UDF are estimated to be 20-25 parts-per-million (ppm) of PCBs. For reference, the regulatory level for a low occupancy area (even without a cap) is 25 ppm.

## WILL YOU TAKE THE MOST TOXIC SEDIMENTS OFF-SITE? WHERE WILL THIS MATERIAL BE DISPOSED?

Yes, the most contaminated soil and sediments with average PCB concentrations greater than 50 ppm will be shipped off-site via rail or truck. In addition, a minimum of 100,000 cubic yards will be shipped off site. The final volume will be determined following thousands of additional samples of river sediments and floodplain soils. Once segregated, the material will be sent to a permitted landfill outside of Massachusetts.

## WILL THERE BE AIR EMISSIONS FROM THE UDF AND HOW WILL THEY BE MANAGED TO PROTECT THE COMMUNITY?

Air sampling will be conducted before, during and after the construction of the UDF. Air sampling will be completed prior to UDF operations in order to establish baseline ambient air quality of the surrounding area. The UDF monitoring program will include air monitoring for dust and PCBs at the UDF construction site and at upwind and downwind locations. Air monitoring results will be reviewed regularly by GE and EPA to ensure that site specific action levels are not exceeded. In the event that exceedances occur, measures identified in contingency plans will be implemented to modify work activities. EPA will provide an opportunity for the public to offer input to the monitoring plans, along with the preferred method of distributing this information to those interested in viewing the monitoring data. Once construction is completed and the final cap is installed, EPA expects air emissions to return to background concentrations. However, testing will still be required to verify that air concentrations remain below safe action levels.

## IS GE PAYING EPA TO REVIEW AND OVERSEE ITS WORK? IS GE ONLY RESPONSIBLE FOR THE ESTIMATED COST OF THE CLEANUP? WHAT IF GE RUNS OUT OF MONEY?

Under the federal consent decree, GE is required to perform and complete the cleanup, regardless of cost. GE is also responsible for paying EPA's oversight costs associated with the river cleanup. There is a limitation of $25 million on this reimbursement; however, EPA expects that this will allow for robust cleanup oversight for the entire cleanup. Additionally, EPA required GE to obtain a surety bond for $150 million in the event that GE is unable to complete the work required under the consent decree.

## HOW WILL THE PUBLIC BE INVOLVED IN THE FINAL PLAN FOR SOIL AND SEDIMENT DISPOSAL ONCE A DECISION IS MADE IN THE FINAL PERMIT?

EPA will continue to solicit and take seriously the community's comments and concerns related to minimizing community impacts of the Housatonic River cleanup. For example, monitoring and mitigation plans such as the Quality of Life Plan, Transportation Plans, UDF design and operational plans, and various other design submittals will be developed with input from the community.

Additional information and background materials are available at epa.gov/ge-housatonic